

Applicants: GINZBURG, Boris et al.
Serial No.: 10/608,143

Attorney Docket No.: P-5751-US
Assignee: Intel Corporation

REMARKS

Applicants have carefully studied the Office Action. This paper is intended to be fully responsive to all points of rejection and objection raised by the Examiner and is believed to place the application in condition for allowance. Favorable reconsideration and allowance of the application are respectfully requested.

Status of the Claims

Claims 1-39 are pending in the Application. Claims 1, 13, 25, 30 and 36 have been amended.

Telephone Interview Summary

Applicants would like to thank the Examiner for the courtesy of the telephone interview with Applicants' representatives on October 21, 2005.

During the telephone interview, Applicants' representatives and the Examiner discussed the claims, specifically in view of Larsson et al., United States Patent Number 6,463,307 ("Larsson") and Beach et al., United States Patent Application Publication Number 2004/0072588 ("the '588 Publication").

Applicants' representatives proposed to amend independent claims 1 and 13 to recite, in paraphrase, transmission by a wireless communication device during an awake mode of said wireless communication device one or more data packets sent for transmission during a power save mode of said wireless communication device.

Applicants' representatives argued that neither Larsson nor the '588 publication disclose this feature of amended claims 1 and 13, which now clarify that the transmission, the awake mode and power-save mode all relate to the same communication device.

The Examiner agreed that the proposed amendment overcomes the claim rejection based on Larsson.

With regard to the '588 Publication, the Examiner indicated that she would consider the Applicants' amendments and arguments upon a further review of the '588 Publication.

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Amendment of Claims

Applicants have amended claims 1, 13, 25, 30 and 36 to more clearly define what the Applicants regard as the invention.

No new matter has been added by this amendment.

Claims 1, 13, 25, 30, 35, 36 and 39 have been amended, as discussed in the telephone interview with the Examiner, to recite, in paraphrase, transmission by a wireless communication device during an awake mode of said wireless communication device one or more data packets sent for transmission during a power save mode of said wireless communication device. (emphasis added)

Claim Rejections Under 35 USC §102(e)

The Examiner rejected claims 1-3, 5-6, 10-11, 13-15, 17-18 and 22-23 under 35 USC §102(e) as being anticipated by Larsson.

Specifically, the Examiner contended that Larsson describes transmitting during an awake mode data packets sent for transmission during a power save mode.

As is well established, in order for a claim to be anticipated by the prior art, each and every element and feature of the claim must be included in a single prior art document.

Each of amended independent claims 1 and 13 recites, *inter alia*, "transmitting by a wireless communication device during an awake mode of said wireless communication device one or more data packets sent for transmission during a power save mode of said wireless communication device" (emphasis added). Larsson does not disclose, teach or suggest at least this feature of independent claims 1 and 13.

Specifically, Larsson describes an access point which buffers data packets while a remote mobile terminal is hibernating (Larsson, column 4, lines 48-66; column 5, lines 4-10). Larsson describes, at most, a first wireless communication device (access point) which buffers data packets while another, different, wireless communication device (remote mobile terminal) hibernates. In contrast, independent claims 1 and 13 relate to a

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wireless communication device able to transmit, during its own awake mode, data packets sent for transmission during its own power save mode.

In view of the above, Applicants respectfully submit that each of amended independent claims 1 and 13 meets the novelty requirements of 35 USC §102(e). Applicants respectfully request that the rejection of claims 1 and 13 under 35 USC §102(e) be withdrawn.

Applicants respectfully submit that the above-mentioned distinctions of amended independent claims 1 and 13 are significant and would not have been obvious at the time the invention was made to a person having ordinary skill in the art, in view of any of the references on record, alone or in combination. Therefore, while the Examiner has not made such a rejection, Applicants respectfully submit that amended independent claims 1 and 13 meet the patentability requirements of 35 USC §103.

Claims 2-3, 5-6 and 10-11, and claims 14-15, 17-18 and 22-23 are dependent from amended independent claims 1 and 13, respectively, and include all the features of these amended independent claims as well as additional distinguishing features. Therefore, it is respectfully submitted that the novelty and patentability of claims 2-3, 5-6 and 10-11, and claims 14-15, 17-18 and 22-23, follow directly from the novelty and patentability of amended independent claims 1 and 13, respectively.

In view of the above, Applicants respectfully request that the rejection of claims 1-3, 5-6, 10-11, 13-15, 17-18 and 22-23 under 35 USC §102(e) based on Larsson be withdrawn.

The Examiner rejected claims 25-29 under 35 USC §102(e) as being anticipated by the '588 Publication.

Specifically, the Examiner contended that the '588 Publication describes an apparatus comprising a buffer to store data packets during a power save mode and to transmit the data packets during an awake mode.

Independent claim 25 recites, *inter alia*, "a transmitter operatively coupled to said buffer, said transmitter to transmit during an awake mode of said apparatus said one or

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more data packets stored by said buffer during said power save mode of said apparatus" (emphasis added). The '588 Publication does not disclose, teach or suggest at least this feature of independent claim 25.

Applicants would like to point out that the '588 Publication describes an access point which buffers data packets while a mobile unit is in a power save mode (the '588 Publication, paragraphs 0005 and 0006). The '588 Publication describes "The data communication system operates according to a protocol wherein the mobile units are arranged to conserve power by signaling an associated access point that the mobile unit is entering a power save mode. The associated access point buffers data packets for the mobile unit in power save mode, until it receives a polling message from the corresponding mobile unit" (the '588 Publication, paragraph 0005). Therefore, it is clear that in the '588 Publication, the mobile unit is the device that enters a power save mode, while another device – the access point – buffers data packets for the mobile unit in the power save mode of the mobile unit, not a power save mode of the access point itself.

Therefore, the '588 Publication describes, at most, a first wireless communication device (access point) which buffers data packets while another, different, wireless communication device (mobile unit) is in a power save mode. In contrast, independent claim 25 relates to an apparatus able to transmit, during its own awake mode, data packets sent for transmission during its own power save mode.

In view of the above, Applicants respectfully submit that amended independent claim 25 meets the novelty requirements of 35 USC §102(e). Applicants respectfully request that the rejection of claim 25 under 35 USC §102(e) be withdrawn.

Applicants respectfully submit that the above-mentioned distinctions of amended independent claim 25 are significant and would not have been obvious at the time the invention was made to a person having ordinary skill in the art, in view of any of the references on record, alone or in combination. Therefore, while the Examiner has not made such a rejection, Applicants respectfully submit that amended independent claim 25 meets the patentability requirements of 35 USC §103.

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Claims 26-29 are dependent from amended independent claim 25, and include all the features of amended independent claim 25 as well as additional distinguishing features. Therefore, it is respectfully submitted that the novelty and patentability of claims 26-29 follow directly from the novelty and patentability of amended independent claim 25.

In view of the above, Applicants respectfully request that the rejection of claims 25-29 under 35 USC §102(e) be withdrawn.

Claim Rejections Under 35 USC §103(a)

The Examiner rejected claims 7-9 and 19-21 under 35 USC §103(a) as being unpatentable over Larsson in view of Beach, United States Patent Application Publication Number 2003/0086443 ("the '443 Publication").

Without conceding the appropriateness of the combination, Applicants respectfully submit that the combination of Larsson and the '443 Publication does not meet the requirements of an obviousness rejection, in that the combination at least fails to teach or suggest all the elements of the claimed invention.

Claims 7-9 depend from independent claim 1, and claims 19-21 depend from independent claim 13.

Each of amended independent claims 1 and 13 recites, *inter alia*, "transmitting by a wireless communication device during an awake mode of said wireless communication device one or more data packets sent for transmission during a power save mode of said wireless communication device" (emphasis added). Larsson and/or the '443 Publication, alone or in combination, do not disclose, teach or suggest at least this feature of independent claims 1 and 13.

Specifically, as discussed above, Larsson describes an access point which buffers data packets while a remote mobile terminal is hibernating (Larsson, column 4, lines 48-66; column 5, lines 4-10). The '443 Publication describes an access point which buffers data packets while a mobile unit is in a power save mode (the '443 Publication, paragraphs 0017 and 0019). Therefore, Larsson and/or the '443 Publication, alone or in combination, describe, at most, a first wireless communication device (access point) which buffers data

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packets while another, different, wireless communication device (mobile unit) is in a power save mode. In contrast, independent claims 1 and 13 relate to a wireless communication device able to transmit, during its own awake mode, data packets sent for transmission during its own power save mode.

In view of the above, Applicants respectfully submit that Larsson and/or the '443 Publication, alone or in combination, do not render any of independent claim 1 and 13 obvious. Applicants further submit that the above-mentioned distinctions of amended independent claims 1 and 13 are significant and would not have been obvious at the time the invention was made to a person having ordinary skill in the art, in view of any of the references on record, alone or in combination.

Claims 7-9 and claims 19-21 are dependent from amended independent claims 1 and 13, respectively, and include all the features of these amended independent claims as well as additional distinguishing features. Therefore, it is respectfully submitted that the patentability of claims 7-9 and claims 19-21 follows directly from the patentability of amended independent claims 1 and 13, respectively.

In view of the above, Applicants respectfully request that the rejection of claims 7-9 and 19-21 under 35 USC §103(a) be withdrawn.

The Examiner rejected claims 4 and 16 under 35 USC §103(a) as being unpatentable over Larsson in view of Liu et al., United States Patent Application Publication Number 2004/0190467 ("Liu").

Without conceding the appropriateness of the combination, Applicants respectfully submit that the combination of Larsson and Liu does not meet the requirements of an obviousness rejection, in that the combination at least fails to teach or suggest all the elements of the claimed invention.

Claim 4 depends from independent claim 1, and claim 16 depends from independent claim 13.

Each of amended independent claims 1 and 13 recites, *inter alia*, "transmitting by a wireless communication device during an awake mode of said wireless communication

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device one or more data packets sent for transmission during a power save mode of said wireless communication device" (emphasis added). Larsson and/or Liu, alone or in combination, do not disclose, teach or suggest at least this feature of independent claims 1 and 13.

Specifically, as discussed above, Larsson describes an access point which buffers data packets while a remote mobile terminal is hibernating (Larsson, column 4, lines 48-66; column 5, lines 4-10). Liu describes a mechanism to adjust wake-up times of mobile stations based on data priorities, data length, and data rates. Therefore, Larsson and/or Liu, alone or in combination, describe, at most, a first wireless communication device (access point) which buffers data packets while another, different, wireless communication device (mobile unit) is in a power save mode. In contrast, independent claims 1 and 13 relate to a wireless communication device able to transmit, during its own awake mode, data packets sent for transmission during its own power save mode.

In view of the above, Applicants respectfully submit that Larsson and/or Liu, alone or in combination, do not render any of independent claim 1 and 13 obvious. Applicants further submit that the above-mentioned distinctions of amended independent claims 1 and 13 are significant and would not have been obvious at the time the invention was made to a person having ordinary skill in the art, in view of any of the references on record, alone or in combination.

Claims 4 and 16 are dependent from amended independent claims 1 and 13, respectively, and include all the features of these amended independent claims as well as additional distinguishing features. Therefore, it is respectfully submitted that the patentability of claims 4 and 16 follows directly from the patentability of amended independent claims 1 and 13, respectively.

In view of the above, Applicants respectfully request that the rejection of claims 4 and 16 under 35 USC §103(a) be withdrawn.

The Examiner rejected claims 12 and 24 under 35 USC §103(a) as being unpatentable over Larsson in view of the '588 Publication.

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Without conceding the appropriateness of the combination, Applicants respectfully submit that the combination of Larsson and the '588 Publication does not meet the requirements of an obviousness rejection, in that the combination at least fails to teach or suggest all the elements of the claimed invention.

Claim 12 depends from independent claim 1, and claim 24 depends from independent claim 13.

Each of amended independent claims 1 and 13 recites, *inter alia*, "transmitting by a wireless communication device during an awake mode of said wireless communication device one or more data packets sent for transmission during a power save mode of said wireless communication device" (emphasis added). Larsson and/or the '588 Publication, alone or in combination, do not disclose, teach or suggest at least this feature of independent claims 1 and 13.

Specifically, as discussed above, Larsson describes an access point which buffers data packets while a remote mobile terminal is hibernating (Larsson, column 4, lines 48-66; column 5, lines 4-10). The '443 Publication describes an access point which buffers data packets while a mobile unit is in a power save mode (the '588 Publication, paragraphs 0005 and 0006).

Applicants would like to point out that the '588 Publication describes an access point which buffers data packets while a mobile unit is in a power save mode (the '588 Publication, paragraphs 0005 and 0006). The '588 Publication describes "The data communication system operates according to a protocol wherein the mobile units are arranged to conserve power by signaling an associated access point that the mobile unit is entering a power save mode. The associated access point buffers data packets for the mobile unit in power save mode, until it receives a polling message from the corresponding mobile unit" (the '588 Publication, paragraph 0005). Therefore, it is clear that in the '588 Publication, the mobile unit is the device that enters a power save mode, while another device – the access point – buffers data packets for the mobile unit in the power save mode of the mobile unit, not a power save mode of the access point itself.

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Therefore, Larsson and/or the '588 Publication, alone or in combination, describe, at most, a first wireless communication device (access point) which buffers data packets while another, different, wireless communication device (mobile unit) is in a power save mode. In contrast, independent claims 1 and 13 relate to a wireless communication device able to transmit, during its own awake mode, data packets sent for transmission during its own power save mode.

In view of the above, Applicants respectfully submit that Larsson and/or the '588 Publication, alone or in combination, do not render any of independent claim 1 and 13 obvious. Applicants further submit that the above-mentioned distinctions of amended independent claims 1 and 13 are significant and would not have been obvious at the time the invention was made to a person having ordinary skill in the art, in view of any of the references on record, alone or in combination.

Claims 4 and 16 are dependent from amended independent claims 1 and 13, respectively, and include all the features of these amended independent claims as well as additional distinguishing features. Therefore, it is respectfully submitted that the patentability of claims 4 and 16 follows directly from the patentability of amended independent claims 1 and 13, respectively.

In view of the above, Applicants respectfully request that the rejection of claims 4 and 16 under 35 USC §103(a) be withdrawn.

The Examiner rejected claims 30-39 under 35 USC §103(a) as being unpatentable over the '588 Publication.

Specifically, the Examiner contended that the '588 Publication describes an apparatus comprising a buffer to store data packets during a power save mode and to transmit the data packets during an awake mode; but fails to describe an omni-directional antenna.

Applicants respectfully submit that the '588 Publication does not meet the requirements of an obviousness rejection, in that the '588 Publication at least fails to teach or suggest all the elements of the claimed invention.

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Independent claim 30 recites, *inter alia*, “a transmitter operatively coupled to said buffer, said transmitter to transmit during an awake mode of said wireless communication device said one or more data packets stored by said buffer during said power save mode of said wireless communication device” (emphasis added). The ‘588 Publication does not disclose, teach or suggest at least this feature of independent claim 30.

Independent claim 36 recites, *inter alia*, “a first wireless communication device adapted to transmit during an awake mode of said first wireless communication device one or more data packets sent for transmission by said first wireless communication device during a power save mode of said first wireless communication device” (emphasis added). The ‘588 Publication does not disclose, teach or suggest at least this feature of independent claim 36.

Applicants would like to point out that the ‘588 Publication describes an access point which buffers data packets while a mobile unit is in a power save mode (the ‘588 Publication, paragraphs 0005 and 0006). The ‘588 Publication describes “The data communication system operates according to a protocol wherein the mobile units are arranged to conserve power by signaling an associated access point that the mobile unit is entering a power save mode. The associated access point buffers data packets for the mobile unit in power save mode, until it receives a polling message from the corresponding mobile unit” (the ‘588 Publication, paragraph 0005). Therefore, it is clear that in the ‘588 Publication, the mobile unit is the device that enters a power save mode, while another device – the access point – buffers data packets for the mobile unit in the power save mode of the mobile unit, not a power save mode of the access point itself.

Therefore, the ‘588 Publication describes, at most, a first wireless communication device (access point) which buffers data packets while another, different, wireless communication device (mobile unit) in a power save mode. In contrast, each of independent claims 30 and 36 relates to a wireless communication device able to transmit, during its own awake mode, data packets sent for transmission during its own power save mode.

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In view of the above, Applicants respectfully submit that the '588 Publication does not render any of independent claims 30 and 36 obvious. Applicants further submit that the above-mentioned distinctions of amended independent claims 30 and 36 are significant and would not have been obvious at the time the invention was made to a person having ordinary skill in the art, in view of any of the references on record, alone or in combination.

Claims 31-35 and claims 37-39 are dependent from amended independent claims 30 and 36, respectively, and include all the features of these amended independent claims as well as additional distinguishing features. Therefore, it is respectfully submitted that the patentability of claims 31-35 and claims 37-39 follows directly from the patentability of amended independent claims 30 and 36, respectively.

In view of the above, Applicants respectfully request that the rejection of claims 30-39 under 35 USC §103(a) be withdrawn.

Conclusion

In view of the foregoing amendment and remarks, and for at least the reasons discussed above, Applicants respectfully submit that claims 1-39 are deemed to be allowable. Their favorable reconsideration and allowance are respectfully requested.

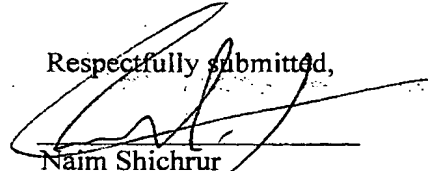
Should the Examiner have any question or comment as to the form, content or entry of this paper, the Examiner is requested to contact the undersigned at the telephone number below. Similarly, if there are any further issues yet to be resolved to advance the prosecution of this application to issue, the Examiner is requested to telephone the undersigned counsel.

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No fees are believed to be due in connection with this paper. However, if any fees are in fact due, please charge any such fees to deposit account No. 50-3355.

Respectfully submitted,



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Dated: December 13, 2005

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